



MONTGOMERY COUNTY ETHICS COMMISSION

Kenita V. Barrow
Chair

Mark L. Greenblatt
Vice Chair

November 13, 2014

Waiver 14-11-006

Pursuant to § 19A-12(b)(1)(A) of the Public Ethics Law, a public employee must not be employed by a business that is regulated by the County agency with which the public employee is affiliated, unless the Ethics Commission grants a waiver of the requirement.

Michael Yiallourous is a Purchasing Specialist for the Department of Liquor Control (DLC). His family owns and operates the Apollo Restaurant. He requests a waiver of the prohibition of § 19A-12(b)(1)(A) so that he may assist his father on Saturday and Sunday mornings in restaurant operations.

The Apollo restaurant is licensed to sell liquor in Montgomery County under the authority of the DLC and is regulated by and purchases alcohol from the DLC. While working with the restaurant, Mr. Yiallourous would not be assisting with functions involving the ordering of alcohol, nor would he be in contact with representatives of the Department of Liquor Control while working for the restaurant.

Mr. Yiallourous has indicated that while working for DLC, he is not involved in price overrides or for any aspect of licensee enforcement or regulation. Mr. Yiallourous has no ordering fulfillment function related to the Apollo restaurant; while he fields customer calls on special order items, Apollo does not order such items.

Pursuant to § 19A-8(b)(3) of the Public Ethics Law, the Ethics Commission may grant a waiver of the prohibition of § 19A-12(b) if the Ethics Commission concludes that the proposed employment is not likely to create an actual conflict of interest. Upon a review of the request and the Department's concurrence in and support for the waiver request, the Commission concludes that Mr. Yiallourous's employment by Apollo Restaurant is not likely to create a conflict of interest. Pursuant to the standard of § 19A-8(b)(3), the Commission grants the waiver of the prohibition of § 19A-12(b). This waiver is conditioned on Mr. Yiallourous not working as a DLC employee on any matter where the Apollo Restaurant is a party to the matter and,

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further, on Mr. Yiallourus's not making any communications on behalf of the Apollo Restaurant to the DLC.

In reaching this decision, the Commission has relied upon the facts as presented by Mr. Yiallourous.

For the Commission:

Kenita Barrow

A handwritten signature in blue ink, appearing to read "Kenita V. Barrow". The signature is written in a cursive, flowing style.

Chair